

STAFF REPORT
October 9, 2008

No. 08OA010 - Ordinance Amendment adding Planned Developments as a Conditional Use in the the General Agriculture Zoning District by Amending Sections 17.34.030, 17.50.080 and 17.50.100 of the Rapid City Municipal Code **ITEM 7**

GENERAL INFORMATION:

| | |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT/AGENT | City of Rapid City |
| PROPERTY OWNER | N/A |
| REQUEST | No. 08OA010 - Ordinance Amendment adding Planned Developments as a Conditional Use in the the General Agriculture Zoning District by Amending Sections 17.34.030, 17.50.080 and 17.50.100 of the Rapid City Municipal Code |
| DATE OF APPLICATION | 9/12/2008 |
| REVIEWED BY | Monica Heller / Not Assigned |

RECOMMENDATION:

Staff recommends that the Ordinance Amendment adding Planned Developments as a Conditional Use in the the General Agriculture Zoning District by Amending Sections 17.34.030, 17.50.080 and 17.50.100 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS: The City received a request to amend the Zoning Ordinance to allow Planned Developments as a Conditional Use in the General Agricultural Zoning District. Currently, Planned Developments are not specifically allowed in the General Agricultural Zoning District as a Permitted Use or a Conditional Use. On September 4, 2008, the Planning Commission authorized staff to advertise for a public hearing on an Ordinance Amendment to add Planned Developments as a Conditional Use in the the General Agricultural Zoning District.

STAFF REVIEW: The inclusion of Planned Developments in the General Agricultural Zoning District will allow concerns with environmental factors such as steep slopes, geological conditions and drainage, aesthetic issues and buffers and negative impact upon public facilities such as streets and highways, water, sanitary and storm sewer systems to be addressed. Currently, Planned Developments are not allowed in the General Agricultural Zoning District. The inability to utilize Planned Developments in the General Agricultural Zoning District limits the design flexibility needed to address environmental issues, aesthetics and buffers that may occur on some properties. Staff recommends that the Ordinance Amendments to amend Chapter 17.34.030 to allow Planned Developments as a conditional use in a General Agricultural Zoning District and to amend Section 17.50.080 and Section 17.50.100 of the Rapid City Municipal Code to permit Planned Residential Developments, Planned Commercial Developments and Planned Development Designations in the General Agricultural Zoning District be approved as follows:

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17.34.030 Conditional uses.

The following may be permitted as conditional uses by the City Council, in accordance with the provisions contained in § 17.54.030:

- A. Lodge hall, veterans organization, service organization;
- B. Public parks and/or playgrounds;
- C. Airplane landing field;
- D. Cemetery;
- E. Kennel;
- F. Radio and television station and transmission tower;
- G. Stable, public;
- H. Private day nurseries and kindergartens as regulated in § 17.50.150;
- I. Historical monuments or structures;
- J. Community corrections facility;
- K. Country clubs with on-sale liquor establishments;
- L. Veterinary clinics;
- M. Microcell wireless communications facilities on poles as defined in § 17.50.400B;
- N. Banquet halls with on sale liquor establishments; and
- O. Planned Developments as regulated in §§ 17.50.050 through 17.50.105;

17.50.080 Development standards for planned residential developments (PRD) and planned development designation (PDD).

- A. A PRD or PDD may be permitted in GAD, PF, LDR-1, LDR-2, MDR, HDR and MHR zoning districts.
- B. A PRD may include:
 - 1. Single-family detached units;
 - 2. Townhouses;

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3. Two-family dwellings;
 4. Recreational facilities;
 5. Mobile and manufactured homes;
 6. Other uses, such as child care centers and temporary sales offices, which may be permitted in residential zoning districts; and
 7. Multiple-family dwellings.
- C. In the LDR-1, LDR-2 and PF zoning districts, no more than 30% of the total permitted number of dwellings units in a PRD shall be 2-family or multiple-family units.
- D. Density shall not be greater than the maximum density of the zoning district in which the PRD is located, unless certain criteria are met. In no case shall density exceed 115% of the maximum density permitted in the zoning district in which the PRD is located. Density bonuses may be awarded if the following criteria are met:
1. One percent bonus for every 20 acres included in the PRD, up to a maximum of 5%;
 2. Two percent bonus for every 1% of the project area devoted to activity-oriented recreational use, up to a maximum of 5%. This does not include areas designed as passive open space;
 3. If a portion or all of the required parking is located within an underground area or within a structure, the following bonuses will be awarded:
 - a. Seven percent for providing 75% or more in a structure;
 - b. Five percent for providing 50% to 74% in a structure; and
 - c. Three percent for providing 25% to 49% of required parking within a structure.
- E. Recreation facilities proposed in the PRD shall be constructed according to the following schedule:
1. Recreation facilities designed to serve an individual development phase of the PRD shall be constructed or bonded for prior to approval of the final plat for that phase.

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2. Central recreation facilities designed to serve the entire PRD shall be completed prior to building permits being issued for more than 40% of the total number of approved dwelling units.

17.50.100 Development standards for planned commercial developments (PCD) and planned development designations (PDD).

- A. Planned commercial developments are designed to make commercial development compatible with adjacent land use to properly address environmental factors such as steep slopes, geologic conditions and drainage, and to mitigate negative impact upon public facilities such as streets and highways, water, sanitary and storm sewer systems. If deemed appropriate, the city may require special precautions to address these issues.
- B. No PCD or PDD should be less than 1 acre in size unless it is determined by the Common Council that a smaller PCD or PDD is appropriate.
- C. A PCD or PDD may be permitted in GAD, GC, NC, CBD and OC zoning districts.
- D. A PCD shall only contain permitted uses and conditional uses for the zoning district in which the PCD is located.
- E. A PCD shall designate the type of uses approved for the development. Any change in approved land uses or changes in occupancy varying one Standard Industrial Classification (SIC) 2-digit code classification to another shall require an amendment to the PCD.